

PETITION FOR CONSENT TO THE CREATION
OF FORT BEND COUNTY ASSISTANCE DISTRICT NO. 6

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF HOUSTON,
TEXAS:

Fort Bend County (herein the "Petitioner"), acting pursuant to the provisions of Chapters 42 and 387, Texas Local Government Code, respectfully petitions the City Council of the City of Houston, Texas, for its written consent to the creation of a county assistance district within Fort Bend County and would show the following:

I.

The name of the proposed District shall be FORT BEND COUNTY ASSISTANCE DISTRICT NO. 6 ("FBCAD No. 6" or the "District").

II.

FBCAD No. 6 shall be created and organized under the terms and provisions of Chapter 387, Texas Local Government Code, together with all amendments and additions thereto. On August 13, 2013, Fort Bend County, pursuant to Chapter 387, Texas Local Government Code, called an election to create FBCAD No. 6 within Fort Bend County and impose a sales and use tax within FBCAD No. 6's boundaries. Fort Bend County provided the City with notice of its intention to create FBCAD No. 6 within the City's extraterritorial jurisdiction in Fort Bend County before Fort Bend County Commissioners Court ordered the election.

III.

FBCAD No. 6 shall contain an area of land situated in Fort Bend County, Texas, as described in **Exhibit A**, which is attached hereto and incorporated herein for all purposes (the "Land"). The Land is within the extraterritorial jurisdiction of the City of Houston, Texas (the "City"). The Petitioner intends for the property description in the attached **Exhibit A** to form a closure and for FBCAD No. 6 to be located solely in the current limits of the extraterritorial jurisdiction of the City of Houston and in those areas of the County in which the current sales and use tax imposed by political subdivisions is one percent or less. To the extent that a mistake is made in the property description such that the boundaries of FBCAD No. 6 extend into a municipality's corporate limits or the current extraterritorial jurisdiction of another municipality, or extend into an area in which less than one percent of sales and use tax is currently available, that portion of the boundaries shall be deemed to be excluded from FBCAD No. 6. A mistake made in the property description in the attached **Exhibit A** does not affect FBCAD No. 6's: (1) organization, existence, or validity; (2) right to issue or enter

into any type of obligation for the purposes for which FBCAD No. 6 is created or to pay the principal of and interest on such an obligation; (3) right to impose a sales and use tax; or (4) legality or operation.

IV.

Sales and use tax generated within FBCAD No. 6 may be used for the following purposes within the boundaries of FBCAD No. 6: (1) the construction, maintenance, or improvement of roads or highways; (2) the provision of law enforcement and detention services; (3) the maintenance or improvement of libraries, museums, parks, or other recreational facilities; (4) the provision of services that benefit the public health or welfare, including the provision of firefighting and fire prevention services; or (5) the promotion of economic development and tourism.

V.

There is, for the following reasons, a necessity for the above-described work. The area proposed to be within FBCAD No. 6 is urban in nature, is within the growing extraterritorial jurisdiction of the City of Houston, Texas, and is in close proximity to populous and developed sections of Fort Bend County, Texas. There is an imminent need within the District for the construction, maintenance, and improvement of roads or highways. It is anticipated that State and Federal funds will not be available for these projects and that local funds will be required. The District will provide Fort Bend County with the ability to generate local funds to construct, maintain, and improve roads and highways within the District that will benefit the local area. The welfare and mobility of the present and future inhabitants of the area and of the territories adjacent thereto require the construction, maintenance, and improvement of roads and highways. A public necessity, therefore, exists for the creation of the District, to provide for the construction, maintenance, and improvement of roads and highways. The County's construction of these roads prior to the City's annexation will benefit the City because (i) the City will not be required to expend the funds to construct the roads; and (ii) mobility will be enhanced significantly earlier than it would be if construction were deferred until annexation.

Petitioner, by submission of this Petition, requests the City's consent to the creation of the District and agrees to enter into an agreement with the City governing the duration, rate, and allocation of sales and use taxes imposed by the District.

Petitioner hereby covenants that if the requested consent to the creation of the District is given, Petitioner will adopt and abide by a mutually agreed upon written agreement governing the duration, rate, and allocation of sales and use taxes.

VI.

WHEREFORE, Petitioner prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the Land described herein within the District.

[Remainder of this page intentionally left blank.]

RESPECTFULLY SUBMITTED this 13 day of August, 2013.

FORT BEND COUNTY, TEXAS

By: _____

Robert Hebert
County Judge

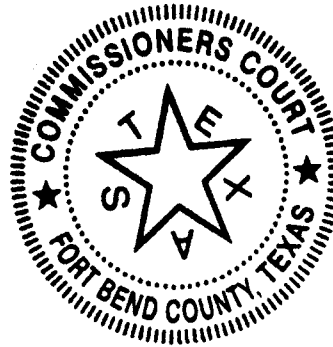
Date: _____

8-13-13

ATTEST:

By: _____

Dianne Wilson
County Clerk



APPROVED AS TO FORM:

Marcus D. Spencer, Assistant County Attorney

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on August 13, 2013,
by Robert E. Hebert, County Judge of Fort Bend County

Luisa Bowers
Notary Public, State of Texas

(NOTARY PUBLIC)



Exhibit A
Description of the Land



Legend



Proposed C.A.D.



Fort Bend County Line

Mission Bend Proposed County Assistance District
Highway 6 & Four Corners Area



HALFF®



0 1,000 2,000 4,000
 Feet

1 inch = 2,000 feet